

# James M. Pender

Partner

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## Overview

Jim Pender provides labor and employment law advice and litigates matters on behalf of public and private sector employers. Much of Jim's practice involves providing legal advice and guidance to clients regarding both union and non-union personnel to help employers navigate the often complicated array of federal and state laws and regulations affecting employment. He represents a diverse client base, including municipalities, school committees, housing authorities, state agencies, public and private transportation carriers, municipal light plants, privately held companies, and colleges and universities. Jim has been with Morgan, Brown & Joy since 2001 and is a partner with the firm.

Jim has significant labor law experience in collective bargaining and contract negotiation; grievances and arbitration; and representation of employers subject to M.G.L. Chapter 150E and 150A before the Massachusetts Department of Labor Relations (DLR) and Commonwealth Employment Relations Board (CERB), National Labor Relations Board (NLRB), and other administrative agencies. On behalf of employer clients, he negotiates collective bargaining agreements with a wide variety of unions, including the Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), Massachusetts Teachers Association (MTA), Laborers' International Union of North America (LIUNA), International Association of Fire Fighters (IAFF), American Coalition of Public Safety (ACOPS), and numerous independent unions.

Jim provides advice regarding employee hiring, discipline and discharge, labor relations, employee handbooks and personnel policies, and wage & benefit matters. He also guides clients with compliance with Family Medical Leave Act (FMLA), paid family medical leave, and other employee leave; Americans with Disabilities Act (ADA)

and disability issues; and employment discrimination litigation. Jim has experience representing clients in state and federal courts, the Massachusetts Commission Against Discrimination (MCAD), Equal Employment Opportunity Commission (EEOC), Massachusetts Civil Service Commission, and in labor arbitration.

### **Awards & Recognition**

- *The Best Lawyers in America*®, Employment Law – Management; Litigation – Labor and Employment, 2024 – present

### **News & Publications**

- Morgan, Brown & Joy Partner James M. Pender Speaks at MA Council of School Attorneys' Program on Emerging Issues in Education Law
- 25 Morgan, Brown & Joy Attorneys Selected for Inclusion in *The Best Lawyers in America*© 2025 Edition
- CLIENT ALERT: The First Circuit Court of Appeals Finds A Public School Teacher's Social Media Posts Are Not Constitutionally-Protected Speech
- CLIENT ALERT: The U.S. Supreme Court Clarifies the Legal Standard for the NLRB Seeking Preliminary Injunctions Against Employers
- Morgan, Brown & Joy Attorneys James M. Pender and Nicole Davies to Present at MMA Annual Labor Relations Seminar
- 26 Morgan, Brown & Joy Attorneys Selected for Inclusion in *The Best Lawyers in America*© 2024 Edition

### **Memberships**

- Boston Bar Association
- Massachusetts Bar Association
- Massachusetts Association of School Committees Council of School Attorneys COSA) President, 2023

### **Bar Admissions**

- Massachusetts

### **Court Admissions**

- United States District Court for the District of Massachusetts

### **Education**

- Wesleyan University, B.A.
- Suffolk University Law School, J.D.